**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR**

**TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929**

**WP(C).No. 9714 of 2007(F)**
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**PETITIONER:**
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**GOKULAN, 33/471 B, PEEDIKATHODI,**
**MALAPPURAM P.O., KOZHIKODE.**

**BY ADV. SRI.O.D.SIVADAS.**

**RESPONDENTS:**
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1. **THE REGIONAL TRANSPORT OFFICER,**
   **KOZHIKODE.**

2. **THE DEPUTY TAHSILDAR (REVENUE RECOVERY),**
   **KOZHIKODE.**

3. **THE VILLAGE OFFICER, CHEVAYOOR.**

**BY GOVT. PLEADER SRI. BASANT BALAJI.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C). NO.9714/2007:**

**APPENDIX**

**PETITIONER'S EXHIBIT:**

**EXT.P.1: COPY OF THE DEMAND NOTICE UNDER SECTION 7 ISSUED BY THE R.2. DTD. 03/10/2006.**

**RESPONDENT'S EXHIBITS: NIL.**

**//TRUE COPY//**

**prv.**

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.9714 of 2007

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Dated this the 26th day of June, 2007.

JUDGMENT

Even though petitioner has a case that registration certificate of the vehicle is surrendered to the R.T.O. on 28.2.2001 for cancellation of registration, Government Pleader reported that even as on 26.3.2005 petitioner reported that financier has taken away the vehicle. The petitioner has not produced any evidence to establish surrender of RC book or scrapping of vehicle. Moreover, even if RC is surrendered for cancellation, petitioner was entitled to take it back after cancellation. In the circumstances, I find no merits in the W.P. The W.P. is accordingly dismissed.

C.N.RAMACHANDRAN NAIR
Judge

pms